

mortgage loan servicing operations, compliance, and loan modifications, as well as Home Affordable Modification Program policy and procedures.

5. The expert opinions expressed in his report are based on his personal knowledge and research, as disclosed in his report.
6. Attached hereto as Exhibit 2 is the Affidavit of Carmen Fox. Carmen Fox is a named plaintiff in this case.
7. As set forth in Ms. Fox's affidavit, BAC has scheduled multiple foreclosure sales for her home, with the most recent set for August 3, 2010. Defendant's Counsel have informed Plaintiffs' Counsel Kevin Costello that the August sale date is postponed, but that it may be rescheduled at any time and is unlikely to be postponed again.
8. Attached hereto as Exhibit 3 is the Affidavit of Fredric Marino. Fredric Marino is not a named plaintiff in this case, but is similarly situated to the named plaintiffs.
9. As set forth in Mr. Marino's Affidavit, BAC had scheduled a foreclosure sale on his home for September 3, 2010. On September 2, 2010, Defendant's Counsel informed Plaintiffs' Counsel Gary Klein that the sale would be postponed until September 30, 2010.
10. Attached hereto as Exhibit 4 is the Affidavit of Brian Tirrell. Brian Tirrell is not a named plaintiff in this case, but is similarly situated to the named plaintiffs.

11. Attached hereto as Exhibit 5 is the Affidavit of Denis Ingham and Eleanor Murphy. Denis Ingham and Eleanor Murphy are not named plaintiffs in this case, but are similarly situated to the named plaintiffs.

12. Attached hereto as Exhibit 6 is the Declaration of Kimberly and Noel Ayers. The Ayers are not named plaintiffs in this case, but are similarly situated to the named plaintiffs.

I make this declaration under the penalty of perjury.

Dated: September 7, 2010

Respectfully Submitted,

/s/ Charles Delbaum
Charles Delbaum

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic File (NEF) and paper copies will be sent to those indicated as non-registered participants on September 7, 2010.

/s/ Charles Delbaum
Charles Delbaum